

UNITED STATES DUSTRICT COURT
DISTRICT OF SOUTH DAKOTA

MICHAEL HUNTER
Plaintiff and The
Public and ex rel COMMISSIONER
OF INTERNAL REVENUE SERVICE
Plaintiffs

Civil Action No 5:23-cv-5071

v

ECQUITABLE ACTION

DAVE BILLION,
AUTO, MARY BERRA CEO
OF GENERAL MOTOR INC
Defendants

I.
JURISDICTION

The Court has equitable jurisdiction as well

Jurisdiction qui tam under False Claims Act Title 31 U S C Sections

3739-3730 and declare unconstitutional Title 28 U S C Sections 2201,

2202.

II.
VENUE

Defendant resides South Dakota therefore

venue proper Title 28 U S C Section 1391(a)

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III.
PLAINTIFFS

Plaintiffs reside in the United States of America

Includes the States of South Dakota, North Dakota, Iowa, Minnesota

And the acting Commissioner of the United States Internal Revenue

Service is nationwide part of the United States one of the defendant

Owes more than four hundred billion in unpaid federal Income taxes

and defrauds on tax claims cheating the United States and the public

and use of deception stole in excess of thirty four thousand dollars

\$34,000.00

IV.
FACTS

5 On 15 day August 2023 plaintiff Michael Hunter took his
car for needed repairs to Billion Auto Minnesota and

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IV.
RESPONDENTS

All of the above named respondents acted in the clear absence of all jurisdiction to possess and deprive or threaten to deprive a citizen the Public thus are businesses and a corporation with license issued by the State of Minnesota. The license does not authorize thefts by deception and fraud, nor theft of a motor vehicle against the laws that prohibit extortion as herein alleging.

V.
FACTS

1. On or about the 15 day of August 2023 the petitioner Michael Hunter took his motor vehicle for repairs needed to his journey to Billion Auto of Worthington Minnesota and

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numerously requested repairs related to the car's problems but a Billion employee lied falsely claiming leak was so bad would not hold and they presented repairs on paper. after payment under coercion made and then petitioner saw charges exceeded hundreds of dollars he did not approve and committed the crime of theft by deception and deceit and after coerced to pay over one thousand fifteen hundred dollars. petitioner saw still leaking and employed Billion mechanic falsified papers Minnesota Statute 609.63 crime of for presentation to petitioner knowing of lien power to unconstitutionally seize petitioner's car absent consent and was theft of a motor vehicle violation Minnesota Statutes 609.52; theft 609.546;

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Petitioner's vehicle was never fixed as he directed.

The defendant also known as the CEO of General Motor Corporation was named defendant in an Iowa United States District Court Sioux City Iowa factually alleging he was improperly induced and mentally susceptible and unable to consent included the Social Security Administration found petitioner unable. A loss of thirty one thousand dollars salesperson knew at the time petitioner drawing disability payments resulted that General Motor he was induced salesperson used aggressive same tactics to induce the petitioner that but not for the respondents suffer from sociopathic disorder [pathological lying, harm others with no guilt or remorse, failure to learn

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from criminal conduct all make up label con artist These are the common traits of auto repair and employees of Billion Auto they work for commission or get a "cut" in [theft successes]

2. Petitioner is suffering the loss of use of his funds which were and are essential to his life and all the above rise under the Commerce Clause of the Constitution of the United States. Defendant Dave Billion is setting up another monopoly in the City of Worthington a process of more scheme to eliminate other businesses and leave The Public in his lien scam he has no right taking and control property he seizes stolen by the respondents even the Petitioner has a right to use reasonable force to necessary under necessity or justification both valid here he has done in Minot, North Dakota and others.

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Get the refund by use of reasonable use thereof

After exhaustion of all lawful remedies. Billion

employees had unlawful possession of the petitioner's

vehicle was auto theft a felony carrying five (5)

years imprisonment right where all belong in the

Public interest and the Court's highest duty is the

Protection of Constitutional rights and the

community. Petitioner also claims to be a member of The

Public. No private person or business can seize property

unless after judgment of a court consistent with the

protection of Due Process of Law

Billion has committed three state

Felonies. First falsifying business records; second theft by

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deception; third auto theft.

4 The unlawful taking of petitioner's

Motor vehicle affected commerce as it blockrd snf disrupted his traveling from state to state and using the highways in the exercise of fundamental rights and is a common law right to use his vehicle across the United States from state to State notwithstanding violated the Takings Clause of the United States Constitution. His vehicle denominated his "crutch" needed element of his livelihood fundamental to his existence---is a necessity.

7 The Rule of Law has been re-settled in

Our democracy NO MAN IS ABOVE THE LAW NOT DAVE BILLION EITHER. A monopoly is illegal and harms the Public Dave Billion's

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scheme is full price control but has to eliminate all competition

The Department of Justice should intervene or the Court

Undertake its authority accepting petitioner may

assert 'others' rights as members NAACP v, Button, 371 U.

S. 415 (1963)

IX.

QUESTIONS PRESENTED

WHETHER THE CONSTITUTIONAL
GUARANTEED RIGHT TO PROPERTY IS
RELEVANT?

X.

LAW

The issue is settled by the decisions of

Snadach v. Family Finance Corp. 395 U. S. 337 (1969).

Fuentes v, Shevin, 401 U. S. 67 (1972). In three

States Georgia, West Virginia, and California

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Laws invalidated lien enforcement Mason v. Garris,

360 F. Supp. 420 (ND Ga 1973). Straley v. Gasseway Motor

Company, inc., 359 F. Supp. 907 (SD W Va 1973) Adams v.

Department Motor Vehicles, 11 Cal.3d 146, 530 P.2d 961 Rptfr

Petitioner did not and would never consent to seizure The

Courts have clarified private conduct may be so intertwined

with governmental action is “to be subject to the

Constitutional limits placed on state action under the fourteenth

Amendment ” Adikes v. S H Kress & Co., 398 U. S. 144 (1970)

However a lien ceases, if it ever existed, being lien where here

Held from and denied until one pays what is not owed and

Subjected is extortion. That is another criminal act that the

Respondents scheme successful yet. Pay fo what service

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not rendered Respondent needs a prison cell and gave the bill showing after payments excess of fifteen hundred dollars [\$1,500.00] Petitioner notes others in The Public have been extorted by Billion and manner of finding through a news publication The Globb of Worthington and will leave copy of

8 The respondents have no practice known not Provided notice nor hearing Due Process required and seized Control with no debt and did not repairs needed, and did not permit test drive first. One item petitioner never asked for bill him over \$420.00 and total owed to petitioner \$34,000.00 the Court must issue writ of mandatory injunction requires pay the funds promptly and grant one hundred thousand dollars deterrence needed in the Public interest. It was and still is an ongoing injury perpetrated by auto sales, and auto repairs

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unneded and costly The Court is requested to declare Minnesota statute 514.18 to be in violation of the United States Constitution as to deny a right by creating and there is nothing in the Federal Bill of rights that grants a statutory Right to lay in ruins a Federally protected right denial of property without due process of law under the Fourteenth Amendment There is no right under the Constitution to detain the property of another debt collecting device The State of Minnesota legislature cannot wage war on federally protected liberties inventing a right the state law an outrageous abuse For if such be the case petitioner will place a lien on each law makers vehicle and have a tow truck take each to an undisclosed place until owed funds from damages are

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paid. By the way the United States Constitution is “The Supreme Law of the Land” NO STATE can pass law creates a right over a federal right and the obvious is clear auto dealers put funds in the pockets of legislatures who accepted the bribe by hidden agenda in voting for its passing and permitting denial of property without due process of law in violation of the United States Constitution where that seizure obstructs other rights by its use of.

The Court must hold void on its face in any and all applications unenforceable as Federal Constitutional Rights preempts state law and a law that clearly deprives violates the United States Constitution which no state may enact and interferes with the exercise of related rights and while a statute may create a right nonetheless restricted to Due Process of a citizen not a

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business and the statute must be struck down as unclear and without due process limitations addressed in the law which the state cannot pass any law that vests overbroad applications nevertheless since acted under color of state law they are subject to the Constitutional limitations and afforded they committed theft in the amount as above

There will be a reply claiming petitioner agreed to pay but such was not a free and voluntary waiver and was based on fact they had petitioner vehicle and would not release to petitioner unless he agreed and paid and petitioner signed papers under that subtle coercion either sign and pay what was not agreed was not accurate owed but an unlawful scheme Dave Billion has instructed his co conspirators Waiver of a right to ownership

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was not an act voluntary and had not possession of vehicle as the Court stated on waivers under Johnson v. Zerbst, 304 U. S. 458 at 464 (1938) No waiver but not unlawful coercion petitioner had four words reply “Kiss my ass thieves.”

RELIEF

WHEREFORE Petitioner Michael Hunter respectfully

Prays the Court issue foregoing relief:

- a) Grant Order the respondents file a Copy of all papers in their possession and serve copies on petitioner including financial transactions
- b) Issue Order to show cause and place on the docket a prompt hearing
- c) Order immediate repayment the respondents received from petitioner by the issuance of writ of mandamus
- d) Grant any such other relief the Court deems fair, just, and equitable

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The 18 day August 2023


Respectfully submitted



Michael Hunter

Petitioner verifies the contents true

The 18 August 2023



Michael Hunter

10/23/23



Clark

#302

U S District Court

515 North St

Rapid City SD

~~577~~

10875

X-RAIED BY
SOUTH DAKOTA
CSO

